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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA, ) No. CR-07-70081 PVT  
11 )  
Plaintiff, ) STIPULATION, WAIVER AND  
12 ) [PROPOSED] ORDER CONTINUING  
vs. ) PRELIMINARY HEARING AND  
13 ) EXCLUDING TIME FOR INDICTMENT  
JOKAELLE PORTER, )  
14 )  
Defendant. )  
15 \_\_\_\_\_ )

16 **STIPULATION AND WAIVER**

17 The parties hereby stipulate and agree that the date currently set for preliminary hearing  
18 and/or arraignment may be continued for three weeks from April 26, 2007 to May 17, 2007 at  
19 9:30 a.m. Mr. Porter, by his signature below, further consents to extend by three weeks the time  
20 for preliminary hearing under Rule 5.1 of the Federal Rules of Criminal Procedure. The purpose  
21 of the requested continuance is to permit the defense to continue its investigation into the  
22 circumstances of the alleged offense and to facilitate the parties' efforts to reach a pre-indictment  
23 resolution. The parties further agree that the intervening three weeks may be excluded from the  
24 time within which an indictment shall be filed, as the reasonable time necessary for effective  
25 defense preparation under 18 U.S.C. §3161(h)(8)(A) and (B)(iv).  
26

1 Dated: April 23, 2007

2 s/\_\_\_\_\_  
3 CYNTHIA C. LIE  
Assistant Federal Public Defender

4 Dated: April 23, 2007

5 s/\_\_\_\_\_  
6 JOKAELLE PORTER  
Defendant

7 Dated: April 24, 2007

8 s/\_\_\_\_\_  
9 THOMAS M. O'CONNELL  
Assistant United States Attorney

10 **[PROPOSED] ORDER**

11 Good cause appearing and by stipulation of the parties, it is hereby ordered that the date  
12 set for preliminary hearing and/or arraignment in the above-captioned matter shall be continued  
13 from Thursday, April 26, 2007 to Thursday, May 17, 2007 at 9:30 a.m.

14 It is further ordered that 21 days shall be excluded from the time within which an  
15 indictment shall be filed under the Speedy Trial Act, as the reasonable time necessary for  
16 effective preparation of counsel, pursuant to 18 U.S.C. §3161(h)(8)(A) and (B)(iv).  
17

18 Dated: April \_\_\_, 2007

19 \_\_\_\_\_  
20 RICHARD SEEBORG  
United States Magistrate Judge